

रजिस्ट्रं नं० पी० ६७



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, २६ जुलाई, १९६९/ ४ श्रावण, १८९१

GOVERNMENT OF HIMACHAL PRADESH

LAW DEPARTMENT

NOTIFICATION

Simla-2, the 9th July, 1969

No. 6-106/68-LR.—The Himachal Pradesh Mechanical Vehicles (Bridge Tolls) Bill, 1968 (Bill No. 48 of 1968) after having received the assent of the Vice-President acting as President on the 7th June, 1969 under sub-section (2) of section 25 of the Government of Union Territories Act, 1963 (Act No. 20 of 1963) is hereby published in the Rajpatra, Himachal Pradesh as Act No. 20 of 1969.

JOSEPH DINA NATH,
Under Secretary (Judicial).

THE HIMACHAL PRADESH MECHANICAL VEHICLES (BRIDGE TOLLS) ACT, 1968

AN
ACT

to provide for the levy and collection of tolls on mechanical vehicles crossing certain bridges in Himachal Pradesh.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Nineteenth Year of the Republic of India as follows:—

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Himachal Pradesh Mechanical Vehicles (Bridge Tolls) Act, 1968.

(2) It shall extend to the whole of Himachal Pradesh.

(3) It shall come into force at once.

Definitions

2. In this Act, unless the context otherwise requires,—

(a) “bridge” means a bridge specified in the first schedule annexed to this Act and such other bridge as may, from time to time, be notified by the State Government in this behalf;

(b) “mechanical vehicle” means any laden or unladen vehicle designed to be driven under its own power including a motor vehicle as defined in clause (18) of section 2 of the Motor Vehicles Act, 1939, but does not include a cart or a bicycle;

(c) “notification” means notification published under proper authority in the Official Gazette;

(d) “Official Gazette” means the Rajpatra, Himachal Pradesh;

(e) “State Government” or “Government” means the Government of Himachal Pradesh; and

(f) “Toll Inspector” means the person authorised by the State Government to collect toll in respect of any mechanical vehicle crossing a bridge, and includes every Government servant posted at a bridge in connection with the collection of toll.

Rate of toll
and its pay-
ment.

3. (1) There shall be levied and paid to the State Government on every mechanical vehicle specified in column 2 of the second schedule to this Act, crossing a bridge, a toll at the rate specified against each mechanical vehicle in column 3 thereof:

Provided that no toll shall be levied on mechanical vehicles or class of mechanical vehicles as the State Government may, by general or special order, exempt from such levy.

(2) The Government shall have the power to amend, by notification, the second schedule. Such amendment shall, as soon as may be after it is made, be placed before the Legislative Assembly.

(3) Every person incharge of a mechanical vehicle shall, for crossing a bridge, pay to the Toll Inspector posted at the bridge, the toll and shall obtain a receipt from him in token of having paid the amount thereof.

(4) Such receipt shall be shown to the Toll Inspector posted at the other end of the bridge.

(5) In case of personal vehicles like cars, scooters and motor-cycles, used for non-commercial purposes, the Government may accept a lump sum in lieu of the toll chargeable in the manner prescribed.

4. The driver of a mechanical vehicle shall cause the vehicle to stop when required to do so by the Toll Inspector to enable him to carry out any duties imposed on him by or under this Act.

Power of
Toll Inspec-
tor.

5. (1) Whosoever,—

Offences and
penalties.

- (a) attempts to cross any bridge without complying with the provisions of this Act, or
- (b) obstructs the Toll Inspector in the discharge of his duties imposed by or under this Act, or
- (c) contravenes any other provision of this Act or the rules made thereunder or any order or direction made under any such provision or rule,

shall be liable, on conviction, to a fine which may extend to fifty rupees.

(2) No Magistrate shall take cognizance of any offence under this Act except on a complaint, in writing, made by the Toll Inspector.

6. No suit, prosecution or other legal proceeding shall lie against any person, authorised to act by or under this Act, for anything done, or purporting to have been done, in good faith, under this Act or the rules made thereunder.

Bar to pro-
ceedings.

7. No Civil Court shall have jurisdiction in any matter which the State Government, or any other person or authority, is empowered under this Act or the rules made thereunder to dispose of or take cognizance of, and regarding the manner in which the State Government or such person or authority exercises any power vested in it or him by or under this Act or the rules made thereunder.

Exclusion of
jurisdiction
of Civil
Courts.

8. (1) The State Government may, by notification, make rules, consistent with this Act, for securing the levy and collection of toll and generally for carrying out the purposes of this Act.

Power to
make
rules.

(2) The rules under sub-section (1) shall, as soon as may be after they are made, be placed before the Legislative Assembly.

9. The Punjab Mechanical Vehicles (Bridge Tolls) Act, 1957, as in force in the areas added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966, is hereby repealed:

Repeal and
savings.

Provided that anything done or any action taken or any proceedings commenced or continued under the said Act, shall be deemed to have been done, taken, commenced or continued under the corresponding provision of this Act.

1 of 1958

31 of 1966

THE FIRST SCHEDULE

[See Section 2(a)]

1. Swan Nadi bridge on Hoshiarpur-Una Road.
2. Dera Gopipur bridge on Jullundur-Hoshiarpur-Dharamsala Road.

THE SECOND SCHEDULE

(See Section 3)

RATES OF TOLL

Serial No.	Particulars or the type of vehicle on which toll is leviable	Rate of Toll (In rupees)	
		Outward journey	Return journey if completed by the midnight of the following day on presentation of the original receipt of payment of toll for the outward journey
1	2	3	3
		Rs.	Rs.
1.	Motor truck, tractor carrying trailer and motor-bus when—		
	(a) laden with goods/passengers	3.00	3.00
	(b) unladen	2.00	0.50
2.	Light motor vehicle, such as jeep, car, pick-up van, tractor, station-wagon, delivery van, motor tri-cycle, viz., motor-rickshaw including scooter-rickshaw	2.00	0.50
3.	Motor bicycle, including scooter with or without side car	1.00	0.25
4.	Trailer attached to truck when—		
	(a) laden with goods	1.50	1.50
	(b) unladen	1.00	0.25
5.	Trailer attached to motor-car, pick-up van, jeep, land-rover, station-wagon when—		
	(a) laden with goods	0.75	0.25
	(b) unladen	0.50	0.20
6.	Any other mechanical vehicle not herein specifically provided for	3.00	3.00

**LAW DEPARTMENT
NOTIFICATION**

Simla-2, the 9th July, 1969

No. 6-29/69-LR.—The Himachal Pradesh Passengers and Goods Taxation (Amendment) Bill, 1969 (Bill No. 20 of 1969) after having received the assent of the Vice-President acting as President on the 24th June, 1969, under sub-section (2) of section 25 of the Government of Union Territories Act, 1963 (Act No. 20 of 1963) is hereby published in the Rajpatra, Himachal Pradesh as Act No. 23 of 1969.

JOSEPH DINA NATH,
Under Secretary.

Act No. 23 of 1969

**THE HIMACHAL PRADESH PASSENGERS AND GOODS
TAXATION (AMENDMENT) ACT, 1969**

**AN
ACT**

to amend the Himachal Pradesh Passengers and Goods Taxation Act (Himachal Pradesh Act No. 15 of 1955).

BE it enacted by the Legislative Assembly of the Union territory of Himachal Pradesh in the Twentieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Himachal Pradesh Passengers and Goods Taxation (Amendment) Act, 1969.

**Short title
and com-
mencement.**

(2) This shall come into force at once.

2. For section 3(1) of the Himachal Pradesh Passengers and Goods Taxation Act, 1955 (hereinafter referred to as the principal Act), the following shall be substituted, namely:—

**Substitution
of section
3(1).**

“3. *Levy of Tax.*—(1) There shall be levied, charged and paid to the State Government a tax on all fares and freights in respect of all passengers carried and goods transported by motor vehicles at such rates not exceeding one-sixth of the value of the fare or freight, as the case may be, and as the Government may, by notification, direct, subject to a minimum of two paise in any one case, the amount of tax being calculated to the nearest paise;—

Explanation.—When passengers are carried and goods are transported by a motor vehicle, and no fare or freight has been charged the tax shall be levied and paid as if such passengers were carried or goods transported at the normal rate prevalent on the route.”

3. In sub-section (2) of section 14-A of the principal Act, after the words “Excise and Taxation Officer” the words “or Assistant Excise and Taxation Officer” shall be inserted.

**Amend-
ment of
sub-section
(2) of sec-
tion 14-A.**

